IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 1956 OF 2004

IN

NOTICE OF MOTION NO. 2427 OF 2002

IN

SUIT NO. 2978 OF 2002

Marie Joseph Naronha & Ors. ..Plaintiffs

versus

Lt. Col. Marcellin Noronha

& 6 ors. ..Defendants

Ms. S. Debabarman for the Plaintiffs.

Mr. Shailesh for Defendant No.1.

Mr. Gaikwad for the Defendant No.7 - BMC.

CORAM : D. G. DESHPANDE,J.

DATE : 7TH DECEMBER,2004.

P.C. :

. Heard Advocate for the Plaintiffs, Defendant No.1 and Defendant No. 7 - BMC. This notice of motion is filed for restoration of Notice of Motion No. 2427 of 2002 which was dismissed on 22.6.2004. Defendant No.1 is the main contesting defendant. Advocate for the plaintiffs state that other defendants have been served. In view of these

facts, Order of dismissal dated 22.6.2004 is set aside and Notice of Motion No. 2427 of 2002 is restored to file. It should come up for hearing on 13.1.2005. Defendant No.1 is permitted to file additional affidavit. Notice of Motion No. 1956 of 2004 stands disposed of accordingly.

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